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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

109960.220 US5

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,343,063, granted January 29, 2002 and for which a reissue patent is sought on the invention entitled Machine-Readable Optical Disc with Reading-Inhibit Agent,

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

See attached Addendum to Reissue Application Declaration by Inventors

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/51 (07-03)

Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

109960.220 US5

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Note: To appoint a power of attorney, use form PTO/SB/81.

Correspondence Address: Direct all communications about the application to:

☒ Customer Number:

23483

OR

☐ Firm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Barbara Rollhaus (Legal Representative of Philip E. Rollhaus)

Legal Representative's signature (upon information and belief)

Residence

Palm Beach, FL

Citizenship

U.S.

Mailing Address

242 Coral Lane, Palm Beach FL 33480

Full name of second joint inventor (given name, family name)

John R. Powell

Inventor's signature

Date

Residence

Arlington, MA

Citizenship

U.S.

Mailing Address

61 James Street, Arlington, MA 02474

Full name of third joint inventor (given name, family name)

Eric J. Carlson

Inventor's signature

Date

Residence

Sudbury, MA

Citizenship

U.S.

Mailing Address

8 Harvard Drive, Sudbury MA 01776

☒ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
109960.220 US5

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Note: To appoint a power of attorney, use form PTO/SB/81.

Correspondence Address: Direct all communications about the application to:

☒ Customer Number:
OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City		State		Zip
Country				
Telephone		Fax		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)
Barbara Rollhaus (Legal Representative of Philip E. Rollhaus)

Legal Representative's signature (upon information and belief)

Residence Palm Beach, FL	Citizenship U.S.
-----------------------------	---------------------

Mailing Address
242 Coral Lane, Palm Beach FL 33480

Full name of second joint inventor (given name, family name)
John R. Powell *JRP*

Inventor's signature <i>JRP</i>	Date January 27, 2004
------------------------------------	--------------------------

Residence Arlington, MA	Citizenship U.S.
----------------------------	---------------------

Mailing Address
61 James Street, Arlington, MA 02474

Full name of third joint inventor (given name, family name)
Eric J. Carlson

Inventor's signature	Date
Residence Sudbury, MA	Citizenship U.S.

Mailing Address
8 Harvard Drive, Sudbury MA 01776

☒ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
109960.220 US5

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Note: To appoint a power of attorney, use form PTO/SB/81.

Correspondence Address: Direct all communications about the application to:

☒ Customer Number: 23483
 OR

☐ Firm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

 Full name of sole or first inventor (given name, family name)
 Barbara Rollhaus (Legal Representative of Philip E. Rollhaus)

Legal Representative's signature (upon information and belief)

Residence Palm Beach, FL

Citizenship U.S.

Mailing Address 242 Coral Lane, Palm Beach FL 33480

Full name of second joint inventor (given name, family name) John R. Powell

Inventor's signature Date

Residence Arlington, MA

Citizenship U.S.

Mailing Address 61 James Street, Arlington, MA 02474

Full name of third joint inventor (given name, family name) Eric J. Carlson

Inventor's signature Date 1/24/04

Residence Sudbury, MA

Citizenship U.S.

Mailing Address 8 Harvard Drive, Sudbury MA 01776

☒ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.

[Page 2 of 2]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental SheetPage 1 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Daniel J.		Ehnholt	
Inventor's Signature <i>Daniel J. Ehnholt</i>		Date <i>1/27/04</i>	
Hudson Residence: City	MA State	U.S. Country	U.S. Citizenship
17 Old North Road Mailing Address			
Mailing Address			
Hudson City	MA State	01749 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Irwin C.		Winkler	
Inventor's Signature		Date	
Arlington Residence: City	MA State	U.S. Country	U.S. Citizenship
24 Gould Road Mailing Address			
Mailing Address			
Arlington City	MA State	02476 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Christopher J.		Marmo	
Inventor's Signature		Date	
Danville Residence: City	CA State	U.S. Country	U.S. Citizenship
39 Green Gables Court Mailing Address			
Mailing Address			
Danville City	CA State	94506 Zip	U.S. Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

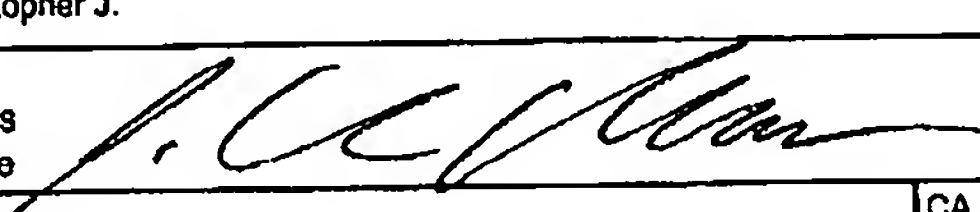
PTO/SB/02A (08-03)

Approved for use through 08/31/2003. OMB 0651-0032

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
Page 1 of 2	

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Daniel J.		Ehnholt	
Inventor's Signature		Date	
Hudson Residence: City	MA State	U.S. Country	U.S. Citizenship
17 Old North Road Mailing Address			
Mailing Address			
Hudson City	MA State	01749 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Irwin C.		Winkler	
Inventor's Signature		Date	
Arlington Residence: City	MA State	U.S. Country	U.S. Citizenship
24 Gould Road Mailing Address			
Mailing Address			
Arlington City	MA State	02476 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Christopher J.		Marmo	
Inventor's Signature 		Date 1/27/04	
Danville Residence: City	CA State	U.S. Country	U.S. Citizenship
39 Green Gables Court Mailing Address			
Mailing Address			
Danville City	CA State	94506 Zip	U.S. Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

~~0002~~ 2 of 4

PTO/SB/02A (01-03)

Approved for use through 08/31/2003, OMB 0651-0092

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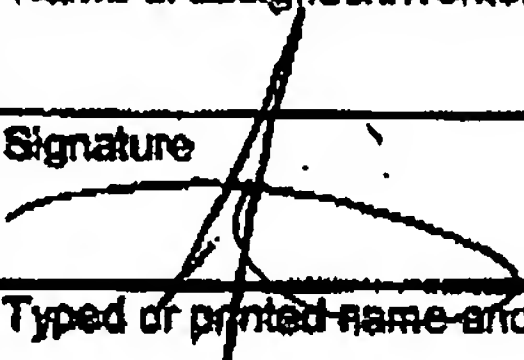
DECLARATION	ADDITIONAL INVENTOR(S)
Supplemental Sheet	Page 2 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James R.		Valentine	
Inventor's Signature <i>James R. Valentine</i>		Date <i>January 27, 2004</i>	
Residence: City	MA State	U.S. Country	U.S. Citizenship
166 Woburn Street Mailing Address			
Mailing Address			
Residence: City	MA State	01867 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/03 (05-03)
Approved for use through 01/31/2004. OMB 0851-0033
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REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) 109960.220US5
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) Phillip Rollhaus, John Powell, Eric Carlson, Daniel Ehntholt, Irwin Winkler, Christopher Marmo, James Valentine		
Patent Number 6,343,083	Date Patent Issued Jan. 29, 2002	
Title of Invention Machine Readable Optical Disc with Reading-Inhibit Agent		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are <u>Flexplay Technologies, Inc.</u> and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) <u>Flexplay Technologies, Inc.</u>		
Signature 	Date 1-28-04	
Typed or printed name and title of person signing for assignee (if assigned) Alan P. Blaustein, Chief Executive Officer		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/06 (09-03)

Approved for use through 01/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Philip Rothhaus, John Powell, Eric Carlson, Daniel Ehrntholt, Irwin Winkler,Christopher Marmo, James ValentineApplication No./Patent No.: 09/421,490 /
6,342,063 Filed/Issue Date: Oct. 20, 1998/Jan. 29, 2002Entitled: Machine-Readable Optical Disc with Reading-Inhibit AgentFlexplay Technologies, Inc.Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest, or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013712, Frame 0860, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

1-28-04
Date212-448-1300 X226
Telephone numberAlan P. Blaustein

Typed or printed name

[Signature]
Signature

Chief Executive Officer

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0129 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: Rollhaus *et al.*

Patent No.: 6,343,063

Issue Date: January 29, 2002

Title: MACHINE-READABLE OPTICAL DISC WITH READING-INHIBIT AGENT

ADDENDUM TO REISSUE APPLICATION DECLARATION BY INVENTORS

I further declare that exemplary errors upon which the reissue application is based include:

- The omission of claims to automatically preventing the reading of the optical media after a limited time or a limited number of uses. That is, no manual intervention is necessary to control when the media becomes unusable.
- The omission of claims to an optically readable media having one or more substrates having information encoding features, at least one access limiting agent, and an enclosure enclosing the optically readable media.
- The omission of claims to an optically-readable media comprising an enclosure and an oxidizable dye, wherein the dye transitions to a state that substantially interferes with the reading of at least a portion of the information encoded region after a predetermined time after removal from the enclosure.
- The omission of claims to an optically readable media comprising a physical deformation agent, wherein the physical deformation agent physically deforms at least a portion of the optically readable media.
- The omission of claims to an optically readable media comprising an oxidizable dye in at least one optical path, the dye being activatable to change its optically transmissive properties to distort the ability of an optical read beam to read the information encoding features.
- The omission of claims to an optical media having a reservoir that holds a fluid which when released distorts the ability to optically read the information encoding features of the media.
- The omission of claims to an optical media system a first and second substrate at least one of which has information encoding features, a reservoir with reading inhibiting agent and a mechanism to control the flow of the reading inhibiting agent to alter the ability to optically read the information encoding features.

Page 2 of 2

Atty. Docket No. 109960.220 US5

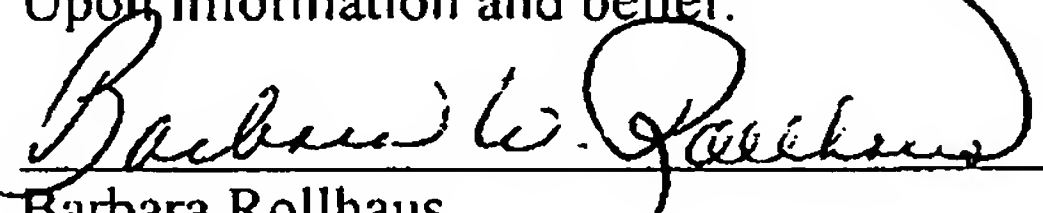
Addendum to Reissue Application Declaration by Inventors

I further declare that all errors corrected in this reissue application arose without any deceptive intention on the part of the applicants.

Date:

1/28/04

Upon information and belief:



Barbara Rollhaus

(Legal Representative of Philip E. Rollhaus)

Date:

John R. Powell

Date:

Eric J. Carlson

Date:

Daniel J. Ehntholt

Date:

Irwin C. Winkler

Date:

Christopher J. Marmo

Date:

James R. Valentine

I further declare that all errors corrected in this reissue application arose without any deceptive intention on the part of the applicants.

Upon information and belief:

Date:

January 27, 2004
Date:

Date:

January 27, 2004
Date:

Date:

Date:

Date:

Barbara Rollhaus
(Legal Representative of Philip E. Rollhaus)

JRP II
John R. Powell

Eric J. Carlson

Daniel J. Ehntholt
Daniel J. Ehntholt

Irwin C. Winkler

Christopher J. Marmo

James R. Valentine

Page 2 of 2
Addendum to Reissue Application Declaration by Inventors

Atty. Docket No. 109960.220 US5

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Upon information and belief:

Date:


Barbara Rollhaus
(Legal Representative of Philip E. Rollhaus)

Date:

John R. Powell

Date:

01/28/04


Eric J. Carlson

Date:

Daniel J. Ehntholt

Date:

Irwin C. Winkler

Date:

Christopher J. Marmo

Date:

James R. Valentine

Page 2 of 2
Addendum to Reissue Application Declaration by Inventors

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Upon information and belief:

Date:

Barbara Rollhaus
(Legal Representative of Philip E. Rollhaus)

Date:

John R. Powell

Date:

Eric J. Carlson

Date:

Daniel J. Ehntholt

Date:

Irwin C. Winkler

1/27/04

Date:



Christopher J. Marmo

Date:

James R. Valentine

3 of 4

Page 2 of 2
Addendum to Reissue Application Declaration by Inventors

Atty. Docket No. 109960.220 US5

I further declare that all errors corrected in this reissue application arose without any deceptive intention on the part of the applicants.

Upon information and belief:

Date:

Barbara Rollhaus
(Legal Representative of Philip E. Rollhaus)

Date:

John R. Powell

Date:

Eric J. Carlson

Date:

Daniel J. Ehntholt

Date:

Irwin C. Winkler

Date:

Christopher J. Margo

Date:

January 27, 2004

James R. Valentine